

Extra Ordinary Part-IV / 2016

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 16th March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 1 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 18th March, 2016).

AN ACT

further to amend the Gujarat Stamp Act, 1958.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Stamp (Amendment) Act, 2016. **Short title.**

Amendment of
section 17 of
Bom. LX of
1958.

2. In the Gujarat Stamp Act, 1958, (hereinafter referred to as "the principal Act"), in section 17, after the existing proviso, the following proviso shall be added, namely:-

"Provided further that the instrument, so far as it relates to reconstruction or amalgamation of companies by an order of the High Court under section 394 of the Companies Act, 1956 shall be stamped within 1 of 1956. thirty days from the date of the order of the High Court.".

Amendment of
section 53 of
Bom. LX of
1958.

3. In the principal Act, in section 53, in sub-section (1), to clause (a), the following proviso shall be inserted, namely:-

"Provided that if the Chief Controlling Revenue Authority is satisfied that such person was prevented for sufficient reasons from presenting the application within the period specified above, he may allow such person to present the application within a further period of ninety days on payment of non-refundable amount of rupees one thousand for every thirty days or part thereof.".



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 17th March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 21st March, 2016).

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2016.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat (Supplementary) Appropriation Act, **Short title.** 2016.

2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum six thousand seven hundred twenty-seven crores fifty-eight lakhs, eighty-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year ending on the thirty-first day of March, 2016, in respect of the services and purposes specified in column 2 of the Schedule.

Issue of
₹ 67, 27, 58,
82,000/- from
and out of the
Consolidated
Fund of the
State of Gujarat
for the financial
year 2015-2016.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

SCHEDULE
(See sections 2 and 3)

Demand No. of Vote/Ap propriat ion	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted	Charged on the consolidated Fund	Total
			₹	₹	₹
1	2		3	4	5
1	Agriculture and Co-operation Department	Revenue	600000	0	600000
		Capital	4200000	0	4200000
2	Agriculture	Revenue	0	1279000	1279000
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	10244000	0	10244000
4	Animal Husbandry and Dairy Development	Revenue	0	10241000	10241000
5	Co-operation	Capital	361339000	0	361339000
6	Fisheries	Revenue	130263000	0	130263000
7	Other Expenditure pertaining to Agriculture and Co-operation Department	Revenue	0	68000	68000
9	Education	Revenue	17022168000	21000000	17043168000
10	Other Expenditure pertaining to Education Department	Revenue	2299000	0	2299000
13	Energy Projects	Revenue	11749400000	0	11749400000
		Capital	1001864000	0	1001864000
19	Other Expenditure pertaining to Finance Department	Revenue	1000	0	1000
20	Repayment of debt pertaining to Finance Department and its Servicing	Revenue	0	14000	14000
22	Civil Supplies	Revenue	140268000	0	140268000
26	Forest	Revenue	0	3004000	3004000
30	Council of Ministers	Revenue	5016000	0	5016000
31	Election	Revenue	247446000	505000	247951000
32	Public Service Commission	Revenue	83439000	0	83439000
34	Economic Advice and Statistics	Revenue	385359000	0	385359000
35	Other Expenditure pertaining to General Administration Department	Revenue	0	1047000	1047000
		Capital	257782000	0	257782000
36	State Legislature	Revenue	34504000	0	34504000
38	Health and Family Welfare Department	Revenue	587000	0	587000
39	Medical and Public Health	Revenue	1380294000	17579000	1397873000
		Capital	1000	0	1000
40	Family Welfare	Revenue	362813000	0	362813000

Demand No. of Vote/Ap propriat ion	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted	Charged on the consolidated Fund	Total
			₹	₹	₹
1	2		3	4	5
43	Police	Revenue	136685000	2542000	139227000
46	Other Expenditure pertaining to Home Department	Revenue	440762000	98174000	538936000
		Capital	20900000	42529000	63429000
48	Stationery and Printing	Revenue	4921000	0	4921000
50	Mines and Minerals	Revenue	1013000	0	1013000
51	Tourism	Revenue	415000	0	415000
		Capital	0	4068000	4068000
52	Other Expenditure pertaining to Industries and Mines Department	Capital	247000	0	247000
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	54346000	0	54346000
		Capital	581000	0	581000
59	Legal Department	Revenue	1300000	0	1300000
60	Administration of Justice	Revenue	0	2000	2000
61	Other Expenditure pertaining to Legal Department	Revenue	1000	3918000	3919000
62	Legislative and Parliamentary Affairs Department	Revenue	1962000	0	1962000
63	Other Expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	150000	0	150000
66	Irrigation and Soil Conservation	Revenue	1000	0	1000
		Capital	2858878000	3500000000	3208878000
67	Water Supply	Revenue	8000000	0	8000000
		Capital	230244000	0	230244000
68	Other Expenditure pertaining to Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	0	600000000	600000000
70	Community Development	Revenue	3291846000	0	3291846000
71	Rural Housing and Rural Development	Revenue	0	215993900 0	2159939000
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	1512180000	0	1512180000
		Capital	3509000	0	3509000
74	Transport	Revenue	1000	0	1000
75	Other Expenditure pertaining to Ports and Transport Department	Revenue	695900000	0	695900000
		Capital	738000	0	738000

Demand No. of Vote/Ap propriat ion	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted	Charged on the consolidated Fund	Total
			₹	₹	₹
1	2		3	4	5
79	Relief on account of natural calamities	Revenue	9840326000	0	9840326000
		Capital	5700000	0	5700000
81	Compensation and Assignments	Revenue	479000	525000	1004000
83	Roads and Buildings Department	Revenue	161000	0	161000
84	Non-Residential Buildings	Revenue	0	14916000	14916000
		Capital	3000	0	3000
86	Roads and Bridges	Revenue	2035324000	0	2035324000
		Capital	5000	0	5000
87	Gujarat Capital Construction Scheme	Capital	0	3298000	3298000
88	Other Expenditure pertaining to Roads and Buildings Department	Revenue	40000000	60000000	100000000
89	Science and Technology Department	Revenue	1000	0	1000
92	Social Security and Welfare	Revenue	1567084000	0	1567084000
		Capital	19209000	0	19209000
93	Welfare of Scheduled Tribes	Revenue	104247000	0	104247000
95	Scheduled Castes Sub-Plan	Revenue	568301000	0	568301000
96	Tribal Area Sub-Plan	Revenue	1271434000	10000000	1281434000
		Capital	2000	0	2000
101	Urban Housing	Revenue	98000	363944000	364042000
102	Urban Development	Revenue	5610448000	0	5610448000
106	Other Expenditure pertaining to Women and Child Development Department	Revenue	1000	0	1000
	Total:	Revenue	58701938000	3368697000	62110635000
		Capital	4805352000	399895000	5165247000
	Grand Total:		63507290000	3768592000	67275882000



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 19th March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 3 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 21st March, 2016).

AN ACT

further to amend the Gujarat Land Revenue Code, 1879.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Land Revenue (Amendment) Act, 2016.

Short title
and
commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 48 of Bom. V of 1879. 2. In the Gujarat Land Revenue Code, 1879 (hereinafter referred to as **Bom. V of 1879.** “the principal Act”), in section 48,-

(1) in sub-section (1), for clause (e), the following clause shall be substituted, namely:-

“(e) for any other purpose or for other different non-agricultural purposes.”;

(2) in sub-section (2), for the words “any other purpose, or is used for any other purpose”, the words “any other purpose or purposes, or is used for any other purpose or different purposes” shall be substituted;

(3) in sub-section (3), after the words “any other purpose”, the words “or different purposes” shall be inserted.

Amendment of section 65 of Bom. V of 1879. 3. In the principal Act, in section 65,-

(i) in sub-section (1), in the paragraph one, after the words “any other purpose”, the words “or for other different purposes” shall be inserted;

(ii) in the marginal note of paragraph one, after the words “any other purpose”, the words “or for other different non-agricultural purposes” shall be added.

Amendment of section 65A of Bom. V of 1879. 4. In the principal Act, in section 65A,-

(i) after the words “any other non-agricultural purpose”, the words “or for other different non-agricultural purposes” shall be inserted;

(ii) in the marginal note, after the words “another non-agricultural purpose”, the words “or for other different non-agricultural purposes” shall be added.

Amendment of section 65B of Bom. V of 1879. 5. In the principal Act, in section 65B, in sub-section (1), in clause (b), in sub-clause (I), in paragraph (b), in the second proviso to item (vi), for the words “State Government may exempt, by notification in the *Official Gazette*”, the words “Collector may exempt” shall be substituted.

Amendment of section 67A of Bom. V of 1879. 6. In the principal Act, in section 67A,-

(1) in sub-section (1),-

(i) in clause (a), after the words “for any other purpose”, the words “or for other different purposes” shall be inserted;

(ii) in clause (b), after the words “for any other purpose”, the words “or for other different purposes” shall be inserted;

(2) in sub-section (2),-

(i) after the words "non-agricultural purpose", wherever they occur, the words "or other different non-agricultural purposes" shall be inserted;

(ii) in clause (b), for the words, brackets and figures "in column (3) or (4)", the words, brackets and figures "in column (3) or (4) or (5)" shall be substituted;

(3) in sub-section (2A),-

(i) after the words "non-agricultural purpose" wherever they occur, the words "or other different non-agricultural purposes" shall be inserted;

(ii) for the words "column of the Table below", the words, brackets and figures "column (3) or (5) of the Table below" shall be substituted;

(4) in sub-section (3), for the existing Table, the following shall be substituted, namely:-

"T A B L E

Sr. No.	Area in which land is situated	Rate of conversion tax per square meter of land		
		when land is to be used for temporary non- agricultural purpose or for residential purpose or for charitable purpose.	when land is to be used for industrial purpose or for any other purpose.	when land is to be used for other different non- agricultural purposes.
1	2	3	4	5
1.	Villages, Municipal boroughs, notified areas and cities having population not exceeding one lakh as per the last census.	Rs. 2.00	Rs. 6.00	Rs. 8.00
2.	Municipal boroughs, notified areas and cities with a population exceeding one lakh as per the last census.	Rs. 10.00	Rs. 30.00	Rs. 40.00".



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 21st March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 4 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 22nd March, 2016).

AN ACT

further to amend the Gujarat Electricity Duty Act, 1958.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Electricity Duty (Amendment) Act, 2016.	Short title.
2. In the Gujarat Electricity Duty Act, 1958 (hereinafter referred to as "the principal Act"), in section 3, in sub-section (2), for clause (v-a), the following clause shall be substituted, namely:-	Amendment of section 3 of Bom. XL of 1958.
"-(v-a) where the energy is generated by any non-conventional or renewable source of energy as the State Government may, by notification in the <i>Official Gazette</i> , specify in this behalf;".	



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 5 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 31st March, 2016.)

AN ACT

further to amend the Gujarat Value Added Tax Act, 2003.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Value Added Tax (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on the 1st April, 2016.

Amendment of
section 7 of Guj.1
of 2005.

2. In the Gujarat Value Added Tax Act, 2003 (hereinafter referred to as "the principal Act"), in section 7,-

Guj.1 of 2005.

(1) in sub-section (1A), in clause (i), for the figures, letters and word "19A, 25, 46B, 48A, 49A, 49B, 51A, 76A and 87", the figures, letters and word "19A, 25, 46B, 48A, 49A, 49B, 49C, 51A, 55A, 76A, 80A and 87" shall be substituted;

(2) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The State Government may, by notification in the *Official Gazette*,-

(i) reduce the rate of tax specified in Schedule II in respect of any entry (or part thereof) of the said Schedule II and may, by like notification, omit or amend any entry (or part thereof) of the said Schedule II but not so as to enhance the rate of tax in any case and thereupon Schedule II shall be deemed to have been amended accordingly;

(ii) add to or omit from, or otherwise amend or modify Schedule III so as to levy tax on the basis of price, weight, volume, measurement or unit, or reduce or enhance the rate of tax payable in respect of any goods specified in Schedule III and thereupon Schedule III shall be deemed to have been amended accordingly.".

3. In the principal Act, in section 9, in sub-section (6), in clause (i), for the figures, letters and word “19A, 25, 46B, 48A, 49A, 49B, 51A, 76A and 87”, the figures, letters and word “19A, 25, 46B, 48A, 49A, 49B, 49C, 51A, 55A, 76A, 80A and 87” shall be substituted.

Amendment of
section 9 of
Guj.1 of 2005.

4. In the principal Act, in Schedule I, for the entry at serial No. 50, the following entry shall be substituted, namely:-

Amendment of
Schedule I to Guj.
1 of 2005.

Sr. No.	Description of goods.	Conditions and exceptions subject to which exemption is granted.
1	2	3
“50	Salt other than salt specified under entry 42A of Schedule II.	The purchaser shall give a declaration that the salt purchased by him covered under this entry shall not be used for the purpose as specified under entry 42A of Schedule II.”.

5. In the principal Act, in Schedule II, -

Amendment of
Schedule II to
Guj. 1 of 2005.

(1) after the entry at serial No.49B, the following entry shall be inserted, namely:-

Sr. No.	Description of goods.	Rate of tax.
1	2	3
“49C	Luxury cars, luxury SUVs and luxury two wheelers.	Seventeen and a half paise in the rupee.”;

	<p><i>Explanation.-</i></p> <p>For the purpose of this entry, “luxury car or luxury SUV” means a car or a SUV with price more than rupees fifteen lakhs and luxury two wheeler means a two wheeler with price more than rupees two and a half lakhs.</p>	
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(2) after the entry at serial No.55, the following entry shall be inserted, namely:-

Sr. No.	Description of goods.	Rate of tax.
1	2	3
“55A	<i>Pan masala.</i>	Twenty-two and a half paise in the rupee.”;

(3) after the entry at serial No.80, the following entry shall be inserted, namely:-

Sr. No.	Description of goods.	Rate of tax.
1	2	3
“80A	Motor vehicles (except school buses, college buses, passenger buses and goods carrier trucks) sold to companies, firms, HUFs, Societies, institutes, associations of persons or bodies of individuals whether incorporated or not, clubs, trusts, Government departments, Government undertakings Boards-Corporations, local self-Government bodies and artificial juridical person.	Seventeen and a half paise in the rupee.”.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 6 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 31st March, 2016.)

AN ACT

further to amend the Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Tax on Entry of Specified Goods into Local Areas (Amendment) Act, 2016.

Short title and commencement.

(2) It shall come into force on the 1st April, 2016.

Amendment of section 2 of Guj. 22 of 2001. 2. In the Gujarat Tax on Entry of Specified Goods into Local Areas Act, 2001 (hereinafter referred to as "the principal Act"), in section 2, for clause (e), the following clause shall be substituted, namely:-

"(e) "importer" means a person who brings or facilitates to bring any of the specified goods into a local area from any place outside the State but not being a place outside the territory of the Union of India, through any means including the on-line purchase, web-based software application or by tele-shopping platform, for consumption, use or sale therein;".

Amendment of section 3 of Guj. 22 of 2001. 3. In the principal Act, in section 3, after sub-section (2), the following sub-section shall be inserted, namely:-

"(2A) Notwithstanding anything contained in sub-section (2), an importer who facilitates to bring any of the specified goods into a local area from any place outside the State through the means of on-line purchase, web-based software application or by teleshopping platform shall collect the tax from the person for whom such facilitation has taken place and shall pay the same in such manner and within such time limit as may be prescribed.".

Insertion of new section 10A in Guj. 22 of 2001. 4. In the principal Act, after section 10, the following section shall be inserted, namely:-

Special mode of recovery. "10A. (1) Notwithstanding anything contained in any law or contract to the contrary, the Assessing Authority may at any time or from time to time, by notice in writing, a copy of which shall be forwarded to the importer at his last known address, require,-

- (a) any person from whom any amount of monies is due, or may become due, to an importer on whom notice has been served under sub-section (1), or
- (b) any person who holds or may subsequently hold monies for or on account of such importer,

to pay to the Assessing Authority, either forthwith upon the monies becoming due or being held or within the time specified in the notice (but not before the monies becomes due or is held as aforesaid) so much of the monies as is sufficient to pay the amount due by the importer in respect of the arrears of tax or penalty under this Act, or the whole of the money when it is equal to or less than that amount.

Explanation. – For the purposes of this sub-section, the amount of monies due to an importer from, or monies held for or on account of an importer by any person, shall be calculated by the Assessing Authority after deducting therefrom such claims, if any, lawfully subsisting, as may have fallen due for payment by such importer to such person.

- (2) The Assessing Authority may amend or revoke any such notice or extend the time for making any payment in pursuance of the notice.
- (3) Any person making any payment in compliance with the notice under this section shall be deemed to have made the payment under the authority of the importer, and the receipt thereof by the Assessing Authority shall constitute a good and sufficient discharge of the liability of such person to the extent of the amount specified in the receipt.
- (4) Any person discharging any liability to the importer after receipt of the notice referred to in this section, shall be personally liable to the Assessing Authority to the extent of

the liability discharged or to the extent of the liability of the importer for tax and penalty, whichever is less.

- (5) Where a person to whom a notice under this section is sent objects to it by a statement in writing that the sum demanded or any part thereof is not due or payable to the importer or that he does not hold any monies for or on account of the importer, the Assessing Authority shall hold an inquiry and after giving to such person or importer a reasonable opportunity of being heard, make such order as he thinks fit.
- (6) Any amount of monies which the aforesaid person is required to pay to the Assessing Authority, or for which he is personally liable to the Assessing Authority under this section shall, if it remains unpaid, be recoverable as an arrears of land revenue.
- (7) The Assessing Authority may apply to the court in whose custody there is monies belonging to the importer for payment of the amount of such monies towards the outstanding amount of tax and penalty payable by the importer.”.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st March, 2016 is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 7 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 31st March, 2016.)

AN ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year ending on the thirty-first day of March, 2017.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation Act, 2016.

Short title.

2. From and out of the Consolidated Fund of the State of Gujarat, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule hereto annexed amounting in the aggregate to the sum of one lakh fifty-one thousand eight hundred fifty-one crores, ninety-three lakhs twenty-nine thousand rupees towards defraying the several charges which will

Withdrawal of ₹ 15,18,51,93,29,000/- from and out of the Consolidated Fund of the State of Gujarat for the financial year 2016-17.

come in course of payment during the financial year 2016-17 in respect of the services and purposes specified in column 2 of the Schedule.

Appropriation. 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

SCHEDULE

(See sections 2 and 3)

Demand No. Vote/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding		
			Voted	Charged on the Consolidated Fund	Total
			₹	₹	₹
1	2		3		
1	Agriculture and Co-operation Department	Revenue	186924000		186924000
		Capital	4000000		4000000
2	Agriculture	Revenue	28470728000		28470728000
		Capital	1315000000		1315000000
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	1037331000		1037331000
		Capital	921453000		921453000
4	Animal Husbandry	Revenue	6157953000		6157953000
5	Co-operation	Revenue	7333683000		7333683000
		Capital	988601000		988601000
6	Fisheries	Revenue	1729258000		1729258000
		Capital	2680000000		2680000000
7	Other expenditure pertaining to Agriculture and Co-operation Department.	Capital	2600000		2600000
8	Education Department	Revenue	126039000		126039000
9	Education	Revenue	204213188000	2321000000	206534188000
		Capital	8921477000		8921477000
10	Other expenditure pertaining to Education Department	Revenue	21056000		21056000
		Capital	405150000		405150000

11	Energy and Petro-chemicals Department	Revenue	41151000		41151000
12	Tax collection charges (Energy and Petro-chemicals Department)	Revenue	208371000		208371000
13	Power Projects	Revenue	49708233000		49708233000
		Capital	22712385000		22712385000
14	Other expenditure pertaining to Energy and Petro-chemicals Department	Revenue	9959000		9959000
		Capital	1302000		1302000
15	Finance Department	Revenue	210376000		210376000
16	Tax Collection Charges (Finance Department)	Revenue	2977530000		2977530000
17	Treasury and Accounts Administration	Revenue	1574021000		1574021000
18	Pension and other Retirement Benefits	Revenue	80633042000		80633042000
19	Other expenditure pertaining to Finance Department	Revenue	57685507000		57685507000
		Capital	6750000	100000	6850000
20	Repayment of Debt pertaining to Finance Department and its servicing	Revenue		166443424000	166443424000
		Capital		86217474000	86217474000
21	Food, Civil Supplies and Consumer Affairs Department.	Revenue	272986000		272986000

22	Civil Supplies	Revenue	6802602000		6802602000
23	Food	Revenue	603083000		603083000
		Capital	1356300000		1356300000
24	Other expenditure Pertaining to Food, Civil Supplies and Consumer Affairs Department	Capital	101000		101000
25	Forests and Environment Department	Revenue	186008000		186008000
26	Forests	Revenue	4839839000	2250000	4842089000
		Capital	4170532000		4170532000
27	Environment	Revenue	1790000000		1790000000
28	Other expenditure pertaining to Forest and Environment Department.	Capital	4440000		4440000
29	Governor	Revenue		66656000	66656000
30	Council of Ministers	Revenue	46450000		46450000
31	Elections	Revenue	999795000		999795000
32	Public Service Commission	Revenue	121420000	220372000	341792000
33	General Administration Department	Revenue	1011531000		1011531000
34	Economic Advice and Statistics	Revenue	313877000		313877000
35	Other expenditure pertaining to General Administration Department	Revenue	248451000	2340000	250791000
		Capital	10436656000		10436656000

36	State Legislature	Revenue	306603000	3480000	310083000
37	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	3407000		3407000
38	Health and Family Welfare Department	Revenue	93822000		93822000
39	Medical and Public Health	Revenue	45282785000		45282785000
		Capital	15198419000		15198419000
40	Family Welfare	Revenue	7399638000		7399638000
		Capital	231000000		231000000
41	Other expenditure pertaining to Health and Family Welfare Department	Revenue		3036000	3036000
		Capital	3500000		3500000
42	Home Department	Revenue	149911000		149911000
43	Police	Revenue	35994984000		35994984000
44	Jails	Revenue	1149162000		1149162000
45	State Excise	Revenue	176037000		176037000
46	Other expenditure pertaining to Home Department.	Revenue	2028450000	3501000	2031951000
		Capital	6429980000		6429980000
47	Industries and Mines Department.	Revenue	138859000		138859000
48	Stationery and Printing	Revenue	618442000		618442000
		Capital	6000000		6000000
49	Industries	Revenue	21318753000		21318753000
		Capital	1537741000		1537741000

50	Mines and Minerals	Revenue	2197713000		2197713000
		Capital	25500000		25500000
51	Tourism	Revenue	1096168000		1096168000
		Capital	4261000000		4261000000
52	Other expenditure pertaining to Industries and Mines Department	Revenue	832050000		832050000
		Capital	2002000000		2002000000
53	Information and Broadcasting Department	Revenue	20450000		20450000
54	Information and Publicity	Revenue	1255983000		1255983000
55	Other expenditure pertaining to Information and Broadcasting Department	Revenue	205210000		205210000
		Capital	3000000		3000000
56	Labour and Employment Department	Revenue	184417000		184417000
57	Labour and Employment	Revenue	8258723000		8258723000
		Capital	1001225000		1001225000
58	Other expenditure Pertaining to Labour and Employment Department	Capital	3200000		3200000
59	Legal Department	Revenue	142477000		142477000
60	Administration of Justice	Revenue	9726713000	1482418000	11209131000
61	Other expenditure pertaining to Legal Department	Revenue	627097000		627097000
		Capital	17700000		17700000

62	Legislative and Parliamentary Affairs Department	Revenue	78200000		78200000
63	Other expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	850000		850000
64	Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	168460000		168460000
65	Narmada Development Scheme	Capital	39180000000		39180000000
66	Irrigation and Soil Conservation	Revenue	9747418000	3500000	9750918000
		Capital	34736294000	5000000000	35236294000
67	Water Supply	Revenue	1219200000		1219200000
		Capital	19171700000		19171700000
68	Other expenditure pertaining to Narmada Water Resources, Water Supply and Kalpsar Department.	Revenue		10000000000	10000000000
		Capital	8500000		8500000
69	Panchayats, Rural Housing and Rural Development Department	Revenue	112510000		112510000
70	Community Development	Revenue	24411361000		24411361000
71	Rural Housing and Rural Development	Revenue	16441291000	3010400000	19451691000
72	Compensation and Assignments	Revenue	1444189000		1444189000

73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	6678420000		6678420000
		Capital	30100000		30100000
74	Transport	Revenue	4973699000		4973699000
		Capital	5349707000		5349707000
75	Other expenditure pertaining to Ports and Transport Department	Revenue	899300000		899300000
		Capital	250002000		250002000
76	Revenue Department	Revenue	307729000		307729000
77	Tax collection charges(Revenue Department)	Revenue	2888304000		2888304000
78	District Administration	Revenue	4180686000		4180686000
79	Relief on account of Natural calamities	Revenue	16093688000		16093688000
		Capital	914000000		914000000
80	Dang District	Revenue	489601000		489601000
81	Compensation and Assignment	Revenue	2757004000	700000	2757704000
		Capital	300000	200000	500000
82	Other expenditure pertaining to Revenue Department	Revenue	19241000		19241000
		Capital	2610000		2610000
83	Roads and Buildings Department	Revenue	158763000		158763000

84	Non-Residential Buildings	Revenue	6174705000	6200000	6180905000
		Capital	14644645000		14644645000
85	Residential Buildings	Revenue	1721079000		1721079000
		Capital	2637945000		2637945000
86	Roads and Bridges	Revenue	33377991000	41000000	33418991000
		Capital	22081697000	45000000	22126697000
87	Gujarat Capital Construction Scheme	Revenue	156478000		156478000
		Capital	1979100000	900000	1980000000
88	Other expenditures pertaining to Roads and Buildings Department	Revenue	309317000	150000000	459317000
		Capital	56800000		56800000
89	Science and Technology Department	Revenue	2549580000		2549580000
90	Other expenditure pertaining to Science and Technology Department	Revenue	1134675000		1134675000
		Capital	52009000		52009000
91	Social Justice and Empowerment Department	Revenue	69526000		69526000
92	Social security and welfare	Revenue	14654688000	22300000	14676988000
		Capital	635680000		635680000
93	Welfare of Scheduled Tribes	Revenue	3194758000		3194758000
		Capital	400893000		400893000
94	Other expenditure pertaining to Social Justice and Empowerment Department	Capital	1600000		1600000
95	Scheduled Castes Sub-Plan	Revenue	33253514000		33253514000
		Capital	10657930000		10657930000

96	Tribal Area Sub-Plan	Revenue	69980170000	60000000	70040170000
		Capital	37280811000	30000000	37310811000
97	Sports, Youth and Cultural Activities Department	Revenue	65551000		65551000
98	Youth Services and Cultural Activities	Revenue	3827982000		3827982000
		Capital	790415000		790415000
99	Other expenditure pertaining to Sports, Youth and Cultural Activities Department	Capital	1106000		1106000
100	Urban Development and Urban Housing Department	Revenue	55900000		55900000
101	Urban Housing	Revenue	5943773000	1637975000	7581748000
102	Urban Development	Revenue	83389475000		83389475000
		Capital	7270100000		7270100000
103	Compensation, Assignment and Tax Collection Charges	Revenue	1582000000	300000000	1882000000
104	Other expenditure Pertaining to Urban Development and Urban Housing Department	Revenue	3225000		3225000
		Capital	1100000		1100000
105	Women and Child Development Department	Revenue	32758000		32758000

106	Other expenditure pertaining to Women and Child Development Department	Revenue	18646452000	9000000	18655452000
		Capital	837900000		837900000
107	Climate Change Department	Revenue	9390000		9390000
108	Other expenditure Pertaining to Climate Change Department	Revenue	956000000		956000000
Total Revenue		Revenue	971311890000	176789552000	1148101442000
Total Capital		Capital	283624213000	86793674000	370417887000
Grand Total			1254936103000	263583226000	1518519329000



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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st March, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 8 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 31st March, 2016.)

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial years ending on the thirty-first day of March, 2004, thirty-first day of March, 2005, thirty-first day of March, 2006 and thirty-first day of March, 2007.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Appropriation (Excess Expenditure) Act, 2016. Short title.
2. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of Schedule I hereto annexed amounting in the aggregate to the sum of four hundred one crores, twenty-five lakhs, sixty-eight thousand rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first

Issue of
₹ 4,01,25,68,000
from and out of the
Consolidated Fund
of the State of
Gujarat for the
financial year
2003-2004.

day of March, 2004, in respect of the services and purposes specified in column 2 of Schedule I.

**Issue of
₹ 17,87,26,42,000
from and out of
the Consolidated
Fund of the State
of Gujarat for the
financial year
2004-2005.**

3. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of Schedule II hereto annexed amounting in the aggregate to the sum of seventeen hundred eighty seven crores, twenty-six lakhs, forty-two thousand rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2005, in respect of the services and purposes specified in column 2 of Schedule II.

**Issue of
₹ 21,59,83,00,000
from and out of
the Consolidated
Fund of the State
of Gujarat for the
financial year
2005-2006.**

4. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of Schedule III hereto annexed amounting in the aggregate to the sum of twenty one hundred fifty nine crores, eighty-three lakhs rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2006, in respect of the services and purposes specified in column 2 of Schedule III.

**Issue of
₹ 5,83,79,23,000
from and out of
the Consolidated
Fund of the
State of
Gujarat for the
financial year
2006-2007.**

5. From and out of the Consolidated Fund of the State of Gujarat, there shall be paid and applied sums not exceeding those specified in column 4 of Schedule IV hereto annexed amounting in the aggregate to the sum of five hundred eighty three crores, seventy-nine lakhs, twenty-three thousand rupees towards defraying the several charges which have come in course of payment during the financial year ending on the thirty-first day of March, 2007, in respect of the services and purposes specified in column 2 of Schedule IV.

Appropriation.

6. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Gujarat by this Act shall be deemed to have been appropriated for the services and purposes expressed in Schedule I, Schedule II, Schedule III and Schedule IV in relation to the financial years ending on the thirty-first day of March, 2004, thirty-first day of March, 2005, thirty-first day of March, 2006 and thirty-first day of March, 2007, respectively.

SCHEDULE I
(See sections 2 and 6)

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
4	Animal Husbandry and Dairy Development	Revenue	62,33		62,33
8	Education	Revenue	45,88,33		45,88,33
9	Other Expenditure pertaining to Education Department	Revenue	14,92		14,92
12	Energy Projects	Capital	14,55,23		14,55,23
17	Pensions and Other Retirement Benefits	Revenue	5,42,22		5,42,22
19	Repayment of Debt pertaining to Finance Department and its servicing	Revenue		1,72,01,10	1,72,01,10
22	Food	Revenue	35,93		35,93
40	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	51		51
41	Home Department	Revenue	13,53		13,53
42	Police	Revenue	9,09,78		9,09,78
49	Industries	Capital	74,62		74,62
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	11,61		11,61
59	Legal Department	Revenue	17,97		17,97
60	Administration of Justice	Revenue		2,06,95	2,06,95
64	Narmada, Water Resources and Water supply Department	Revenue	92		92
66	Irrigation and Soil Conservation	Capital	17,79,91		17,79,91
67	Water Supply	Capital	2,37,00		2,37,00

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
68	Other Expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue		72,08	72,08
69	Panchayats, Rural Housing and Rural Development Department	Revenue	6,68		6,68
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	24,02,75		24,02,75
78	District Administration	Revenue	3,71,96		3,71,96
80	Dangs District	Revenue	52,63		52,63
84	Non-Residential Buildings	Revenue		6,97	6,97
86	Roads and Bridges	Revenue	1,00,54,22		1,00,54,22
91	Social Justice and Empowerment Department	Revenue	4,28		4,28
105	Women and Child Development Department	Revenue	1,25		1,25
Total:		Revenue	1,90,91,82	1,74,87,10	3,65,78,92
		Capital	35,46,76	—	35,46,76
Grand Total:			2,26,38,58	1,74,87,10	4,01,25,68

SCHEDULE II

(See sections 3 and 6)

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
2	Agriculture	Revenue	1,28,12		1,28,12
5	Co-operation	Revenue	29,78		29,78
8	Education	Revenue	84,08,37		84,08,37
12	Energy Projects	Revenue	26,11,34	50,77,71	76,89,05
		Capital		1,18,47,98	1,18,47,98
17	Pensions and Other Retirement Benefits	Revenue	42,62,13		42,62,13
19	Repayment of Debt pertaining to Finance Department and its servicing	Capital		13,30,14,42	13,30,14,42
22	Food	Revenue	35,83		35,83
36	Loans and Advances to Government Servants in Gujarat Legislature Secretariat				
		Capital	30,91		30,91
38	Medical and Public Health	Revenue	13,35,44		13,35,44
40	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	1,57		1,57
43	Jails	Revenue	84,40		84,40
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	13,92		13,92

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
61	Other Expenditure pertaining to Legal Department	Revenue	7,77		7,77
63	Other Expenditure pertaining to Legislative and Parliamentary Affairs Department	Capital	5,87		5,87
66	Irrigation and Soil Conservation	Revenue		6,02	6,02
68	Other Expenditure pertaining to Narmada, Water Resources and Water Supply Department	Revenue		1,05	1,05
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	16,73,14		16,73,14
		Capital		2,37,01	2,37,01
80	Dangs District	Revenue	8,95		8,95
81	Compensation and Assignments	Revenue		15,41	15,41
		Capital		2,03	2,03
86	Roads and Bridges	Revenue	97,46,65		97,46,65
88	Other Expenditure pertaining to Roads and Building Department	Revenue	1,19,38		1,19,38
91	Social Justice and Empowerment Department	Revenue	4,84		4,84
96	Tribal Area Sub-Plan	Capital		16,32	16,32
100	Urban Development and Urban Housing Department	Revenue	4		4
104	Other Expenditure pertaining to Urban Development and Urban Housing Department	Revenue	2		2
	Total:	Revenue	2,84,71,69	51,00,19	3,35,71,88
		Capital	36,78	14,51,17,76	14,51,54,54
	Grand Total:		2,85,08,47	15,02,17,95	17,87,26,42

SCHEDULE III

(See sections 4 and 6)

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	41,05		41,05
7	Education Department	Revenue	6,00		6,00
8	Education	Revenue	1,94,69,62	7,12	1,94,76,74
11	Tax Collection Charges (Energy and Petro-Chemicals Department)	Revenue	12,02		12,02
12	Energy Projects	Capital	16,23,27,72		16,23,27,72
17	Pensions and Other Retirement Benefits	Revenue	1,04,40,36		1,04,40,36
20	Food, Civil Supplies and Consumer Affairs Department	Revenue	39,95		39,95
22	Food	Revenue	94,33		94,33
25	Forests	Revenue	1,86,43		1,86,43
37	Health and Family Welfare Department	Revenue	64,42		64,42
38	Medical and Public Health	Revenue	16,37,00		16,37,00
40	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	4		4
42	Police	Revenue	33,58,72		33,58,72
43	Jails	Revenue	4,33,63		4,33,63
45	State Excise	Revenue	15,62		15,62
46	Other Expenditure pertaining to Home Department	Revenue	6,33		6,33

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
52	Other Expenditure pertaining to Industries and Mines Department	Revenue	9,35,00	2,89,67	12,24,67
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	10,93		10,93
64	Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	1,11,98		1,11,98
66	Irrigation and Soil Conservation	Revenue	12,72,26	51	12,72,77
69	Panchayats, Rural Housing and Rural Development Department	Revenue	15,51		15,51
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	31,26,32		31,26,32
75	Other Expenditure pertaining to Ports and Fisheries Department	Revenue	73		73
77	Tax Collection Charges (Revenue Department)	Revenue	39,14		39,14
78	District Administration	Revenue	12,43		12,43
79	Relief on account of Natural Calamities	Revenue	3,18,02		3,18,02
84	Non-Residential Buildings	Revenue		8	8
86	Roads and Bridges	Revenue	95,10,55		95,10,55
		Capital	15,78,75	1	15,78,76
88	Other Expenditure pertaining to Roads and Buildings Department	Revenue	55,91	23,38	79,29

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
90	Other Expenditure pertaining to Science and Technology Department	Revenue	1,96,80		1,96,80
91	Social Justice and Empowerment Department	Revenue	5,82		5,82
92	Social Security and Welfare	Revenue	59,75		59,75
96	Tribal Area Sub-Plan	Revenue	2,34,37		2,34,37
100	Urban Development and Urban Housing Department	Revenue	6		6
102	Urban Development	Revenue	15,14		15,14
		Capital	13,45		13,45
103	Compensations, Assignments and Tax Collection Charges	Revenue	16,05		16,05
104	Other Expenditure pertaining to Urban Development and Urban Housing Department	Revenue	2		2
	Total:	Revenue	5,17,42,31	3,20,76	5,20,63,07
		Capital	16,39,19,92	1	16,39,19,93
	Grand Total:		21,56,62,23	3,20,77	21,59,83,00

SCHEDULE IV

(See sections 5 and 6)

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
3	Minor Irrigation, Soil Conservation and Area Development	Revenue	31,68		31,68
5	Co-operation	Revenue	3,20,81		3,20,81
8	Education Department	Revenue	15,05		15,05
9	Education	Revenue	3,34,46,39		3,34,46,39
12	Tax Collection Charges(Energy and Petro-Chemicals Department)	Revenue	8,79		8,79
15	Finance Department	Revenue	91		91
18	Pensions and Other Retirement Benefits	Revenue	80,12,86	1,33	80,14,19
21	Food, Civil Supplies and Consumer Affairs Department	Revenue	26,62		26,62
23	Food	Revenue	40,05		40,05
25	Forests and Environment Department	Revenue	7,53		7,53
26	Forests	Revenue	1,48,79		1,48,79
		Capital	83,10		83,10
32	Public Service Commission	Revenue		17,66	17,66
37	Loans and Advances to Government Servants in Gujarat Legislature Secretariat	Capital	1,71		1,71
38	Health and Family Welfare Department	Revenue	27,93		27,93
39	Medical and Public Health	Revenue	25,76,98		25,76,98

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
41	Other Expenditure pertaining to Health and Family Welfare Department	Revenue	3,28		3,28
		Capital	63,55		63,55
43	Police	Revenue	32,98,77		32,98,77
44	Jails	Revenue	2,04,17		2,04,17
55	Other Expenditure pertaining to Information and Broadcasting Department	Revenue	11,32		11,32
57	Labour and Employment	Revenue	79,32		79,32
61	Other Expenditure pertaining to Legal Department	Revenue	38,79		38,79
64	Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue	49,71		49,71
66	Irrigation and Soil Conservation	Revenue	10,27,26		10,27,26
68	Other Expenditure pertaining to Narmada, Water Resources, Water Supply and Kalpsar Department	Revenue		18,47	18,47
73	Other Expenditure pertaining to Panchayats, Rural Housing and Rural Development Department	Revenue	33,05,97		33,05,97
74	Transport	Revenue	1,90		1,90
		Capital	18,00,00		18,00,00
77	Tax Collection Charges(Revenue Department)	Revenue	3,77,03		3,77,03
78	District Administration	Revenue	9,98,29		9,98,29
80	Dangs District	Revenue	45,20		45,20
81	Compensations, Assignments	Revenue	9,08		9,08

No. of Excess Demand/ Appropriation	Services and Purposes	Revenue/ Capital	Sums not exceeding(₹ in thousand)		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2	3	4		
84	Non-Residential Buildings	Revenue	1,86,51		1,86,51
86	Roads and Bridges	Revenue	15,88,19		15,88,19
87	Gujarat Capital Construction Scheme	Capital	3,36,52		3,36,52
88	Other Expenditure pertaining to Roads and Buildings Department	Revenue	1,55,22		1,55,22
91	Social Justice and Empowerment Department	Revenue	12,42		12,42
104	Other Expenditure pertaining to Urban Development and Urban Housing Department	Revenue	7		7
	Total:	Revenue	5,60,56,89	37,46	5,60,94,35
		Capital	22,84,88	—	22,84,88
	Grand Total:		5,83,41,77	37,46	5,83,79,23

Extra No. 9

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The Gujarat Government Gazette

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 1st May, 2016.

GUJARAT ORDINANCE NO. 1 OF 2016.

AN ORDINANCE

*to provide for the reservation of seats in educational institutions in
the State and of appointments and posts in the services under
the State in favour of the Economically Weaker Sections of
unreserved category and for the matters connected therewith or incidental
thereto.*

WHEREAS the State Government is following and implementing
the policy of reservation for Scheduled Castes, Scheduled Tribes and
Socially and Educationally Backward Classes in admissions to the

educational institutions in the State and in the appointments in the services under the State;

AND WHEREAS, because of the effective implementation of the reservation policy for such classes, a reasonable number of persons belonging to the said classes are being benefited both socially and economically to some extent and the existing policy of reservation for these classes in the State shall continue;

AND WHEREAS, the State has received several representations from Economically Weaker Sections of unreserved categories of the society, expressing their inability to compete with the higher strata who are economically sound and as a result of which, such Economically Weaker Sections feel disadvantaged in terms of their representation in the matter of admissions in educational institutions and in the services and posts under the State;

AND WHEREAS, taking into consideration the aforesaid representations, the State Government, being enjoined to endeavour to provide reasonable opportunities to all sections of the society, is of the considered view to strive for inclusive development in the State, so that every section of the society shares the fruits of the policies of the Government;

AND WHEREAS, the State Government has, after careful consideration decided that Economically Weaker Sections of the society belonging to unreserved categories should be provided with reservation;

AND WHEREAS, the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS, the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to make a law to provide for the reservation of seats in educational institutions in the State and of appointments and posts in the services under the State in favour of the Economically weaker Sections of unreserved category;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. Short title, extent and commencement.-(1) This Ordinance may be called the Gujarat Unreserved Economically Weaker Sections (Reservation of Seats in Educational Institutions in the State and of Appointments and Posts in Services under the State) Ordinance, 2016.

(2) It extends to the whole of the State of Gujarat.

(3) It shall come into force at once.

2. Definitions.- In this Ordinance, unless the context otherwise requires,-

(a) "Economically Weaker Sections" means all such sections of the society consisting of persons belonging to unreserved category who meet with the criteria provided under section 6;

(b) "local authority" means,-

(i) "Municipal Corporation" constituted under the Gujarat Provincial Municipal Corporations Act, 1949;

(ii) "Municipality" means Municipality constituted under the Gujarat Municipalities Act, 1963;

(iii) "Panchayat" means panchayat constituted under the Gujarat Panchayats Act, 1993;

(c) "prescribed" means prescribed by rules made under this Ordinance;

(d) "services under the State" means the public services and posts in connection with the affairs of the State and includes the services and posts in,-

(i) any local authority;

(ii) any corporation or company owned and controlled, wholly or substantially, by the State Government;

Bom. LIX of
1949.

Guj. 34 of 1964.

Guj. 18 of 1993.

- (iii) any other authority or body constituted by or under an Act of the State Legislature and funded, wholly or substantially, by the State; and
- (iv) respect of which reservation is applicable on the date of commencement of this Ordinance and which are not covered under sub-clauses (i) to (iii);
- (e) “unreserved category” shall include all persons not falling within the reserved categories of Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes.

3. *Reservation of seats in educational institutions in the State.*-The reservation in respect of the annual permitted strength for admission into such educational institutions and courses in the State, as may be prescribed, for Economically Weaker Sections, shall be ten per cent.

4. *Reservation of appointments and posts in the services under the State.*- (1) The reservation of appointments and posts in the services under the State for the Economically Weaker Sections shall be ten per cent.

(2) Notwithstanding anything contained in sub-section (1), such reservation shall not apply in the matters of promotion.

5. *No reservation in certain cases.*- Notwithstanding anything contained in section 4, there shall be no reservation in respect of the post, which is single (isolated) in any cadre or grade.

6. *Criteria for reservation.*- For the purposes of this Ordinance, reservation under sections 3 and 4 for the Economically Weaker Sections shall be as per the criteria applicable to the Socially and Educationally Backward Classes in the State.

7. **Power to make rules.**- (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out all or any of the purposes of this Ordinance.

(2) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to the recession by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

(3) Any recession or modification so made by the State Legislature shall be published in the *Official Gazette*, and shall thereupon take effect.

8. **Power to remove difficulties.**- If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order published in the *Official Gazette*, make such provisions not in consistent with the provisions of this Ordinance as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the commencement of this Ordinance.

STATEMENT

The State Government is following and implementing the policy of reservation for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes in admissions to the educational institutions in the State and in the appointments in the services and posts under the State and because of the effective implementation of the reservation policy for such classes, a reasonable number of persons belonging to the said classes are being benefited both socially and educationally to some extent and the existing policy of reservation for these classes in the State shall continue.

At the same time, it is also a fact that Economically Weaker Sections of the unreserved categories of the society have expressed their inability to compete with the higher strata who are economically sound and as a result of which, such Economically Weaker Sections feel disadvantaged in terms of their representation in the matter of admissions in educational institutions and in the services and posts under the State. The State Government is aware of this situation and considers its prime duty to strive for inclusive development and address the reasonable requirement of such Economically Weaker Sections of unreserved categories of the society, so that they may also share the fruits of the policies of the Government.

It is, therefore, considered necessary to provide for ten per cent. reservation on the basis of economic status to Economically weaker Sections of the society other than the Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes for the admissions in the educational institutions and for appointments in the services and posts under the State. Such reservation shall be available to the persons of the Economically Weaker Sections of the society as per the criteria as are applicable to the persons belonging to the Socially and Educationally Backward Classes in the State.

As the Legislative Assembly of the State of Gujarat is not in session,
this Ordinance is promulgated to achieve the aforesaid object.

O. P. KOHLI,

Dated the 1st May, 2016.

Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

SANJAY PRASAD,

Principal Secretary to Government.

Government Central Press, Gandhinagar.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 4th May, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 9 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 6th May, 2016.)

AN ACT

further to amend the Gujarat Private Universities Act, 2009.

Guj. 8 of 2009.

WHEREAS, the Nootan Sarva Vidyalaya Kelavani Mandal, Visnagar, District: Mehsana, Marwadi Education Foundation, Rajkot, Plastindia Foundation, Mumbai, Laxman Gyanpith, Godhavi, Taluka: Sanand, District: Ahmedabad have applied to the State Government under the provisions of the Gujarat Private Universities Act, 2009 to establish Private Universities in the State;

AND WHEREAS, the said applications have been scrutinised by the Scrutiny Committee and on report of the Scrutiny Committee, the State Government has issued the Letter of Intent to the respective sponsoring body for establishment of the Private University;

AND WHEREAS, the State Government is satisfied that the sponsoring bodies have complied with the conditions of Letter of Intent as provided in section 10 of the said Act and have also established the Endowment Fund as per the Letter of Intent;

NOW, THEREFORE, the Government of Gujarat, in accordance with the provisions of section 10 of the said Act, includes the institutions specified in column 2 of the Schedule as the Private University, by the name and location of the aforesaid sponsoring bodies as specified in column 4 of the said Schedule.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Private Universities (Amendment) Act, 2016.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of Schedule to Guj. 8 of 2009.

2. In the Gujarat Private Universities Act, 2009, in the Schedule, after the entry at serial No. 17, the following entries shall be inserted, namely:-

Guj. 8 of 2009.

Sr. No.	Name and Address of the Private University	Details of Registration and Registration Number	Sponsoring Body
1.	2.	3.	4.
“18.	Sankalchand Patel University, Visnagar.	Registration under the Gujarat Public Trusts Act, 1950. Registration No. E/251, Mehsana. Date: 19/12/1952.	Nootan Sarva Vidyalaya Kelavani Mandal, S.K.Patel Campus, Visnagar, District: Mehasana, Gujarat.
19.	Marwadi University, Rajkot.	Registration under the Gujarat Public Trusts Act, 1950. Registration No. E/8458, Rajkot. Date: 24/10/2008.	Marwadi Education Foundation, Rajkot, Gujarat.
20.	Plastindia International University, Vapi.	Registration under the Bombay Public Trusts Act, 1950. Registration No. F.12156, Mumbai. Date: 26/11/1987.	Plastindia Foundation, 401, Landmark, “B” Suren Road, Andheri (E), Mumbai, Maharashtra, India.
21.	Anant National University, Ahemedabad.	Registration under the Gujarat Public Trusts Act, 1950. Registration No. E/8107, Ahmedabad, Gujarat. Date: 10/01/1991	Laxman Gyanpith, Sanskardham Campus, Nr. Manipur Bus Stop, Godhavi, Taluka: Sanand, District: Ahmedabad, Gujarat.”.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 4th May, 2016 is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 10 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 6th May, 2016.)

AN ACT

further to amend the Ganpat University Act, 2005.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Ganpat University (Amendment) Act, 2016. Short title and commencement

(2) It shall come into force at once.

Guj. 19 of 2005. 2. In the Ganpat University Act, 2005 (hereinafter referred to as "the principal Act"), in section 2,- Amendment of section 2 of Guj. 19 of 2005.

(1) for clause (d), the following clause shall be substituted, namely:-

"(d) "Director General" means the Director General of the University appointed under section 18;";

(1) after clause (l), the following clause shall be inserted, namely:-

“(l-a) “Regulatory Body” shall have the meaning as defined by clause (p) **Guj. 8 of 2009.** of section 2 of the Gujarat Private Universities Act, 2009;”.

Amendment of section 3 of Guj. 19 of 2005.

3. In the principal Act, in section 3, in sub-section (2), for the words “the Director”, the words “the Director General” shall be substituted.

4. In the principal Act, in section 4, -

(1) for the words “and humanistic for the advancement of mankind”, the words “humanistic, law, fashion designing, architecture, nursing, sports, dairy, animal husbandry, agriculture, forestry, fisheries and any other educational disciplines for the advancement of mankind” shall be substituted;

(2) for clauses (ii), (iii), and (iv), the following clauses shall be substituted, namely :-

“(ii) to create centers of excellence for providing knowledge, education, training and research facilities of high order in the field of science, technology, dental, medical, physiotherapy, paramedical, pharmacy, commerce, management, humanistic, law, fashion designing, architecture, nursing, sports, agriculture, forestry, fisheries and other related professional education as per its current status and such other matters as may develop in future, including continuing education and distance learning;

(iii) to develop patterns of teaching for a certificate or diploma courses, undergraduate and post-graduate courses and at doctoral level and to maintain a high standard of education, its applications; to create capabilities for upgrading science and technology, dental, medical, physiotherapy, paramedical, pharmacy, commerce, management, humanistic, law, fashion designing, architecture, nursing, sports, agriculture, forestry, fisheries courses;

(iv) to develop training facilities and to make arrangements for training in higher education, professional education and allied fields, to provide for inter-relationship for national and international participation, in the field of science and technology, dental, medical, physiotherapy paramedical, pharmacy, commerce, management, law, fashion designing, architecture, nursing, sports, agriculture, forestry, fisheries and its allied fields.”;

(3) after clause (vi), the following clause shall be added, namely:-

“(vii) to set up off-campus centres, study centres and examination centres within the State subject to the permission of the regulatory bodies under any law made by the Parliament and any regulations, rules etc., made by the regulating bodies.”.

Amendment of section 4 of Guj. 19 of 2005.

5. In the principal Act, in section 6, -

(1) for clause (ii), the following clause shall be substituted, namely :-

“(ii) to provide for instruction, training, research advancement and dissemination in such branches of knowledge or learning pertaining to science, technology, dental, medical, physiotherapy, pharmacy, commerce, management, humanistic, law, fashion designing, architecture, nursing, sports, agriculture, forestry, fisheries and allied areas;”;

(2) for clause (ix), the following clause shall be substituted, namely :-

“(ix) to sponsor and undertake research in the different areas of science, technology, dental, medical, physiotherapy, pharmacy, commerce, management, humanistic, law, fashion designing, architecture, nursing, sports, agriculture, forestry and fisheries;”;

(3) for clause (xii), the following clause shall be substituted, namely :-

“(xii) to develop and maintain relationships with teachers, researchers and domain experts in science, technology, dental, medical, physiotherapy, pharmacy, commerce, management, humanistic, law, fashion designing, architecture, nursing, sports, agriculture, forestry, fisheries and allied areas in any part of the world for achieving the objects of the University;”.

6. In the principal Act, in section 9, in clause (b), for the words “The Director”, the words “The Director General” shall be substituted.

Amendment of
section 9 of Guj.
19 of 2005.

7. In the principal Act, in section 10, in sub-section (1), -

(1) in clauses (iii), (iv) and (ix), for the word “Director”, the words “Director General” shall be substituted;

Amendment of
section 10 of Guj.
19 of 2005.

(2) in clauses (v), (vi), (vii) and (viii), the words “or his nominee” shall be added at the end.

8. In the principal Act, in section 12, in sub-section (2), in clause (ix), for the word “Director”, the words “Director General” shall be substituted.

Amendment of
section 12 of Guj.
19 of 2005.

9. In the principal Act, in section 14, in sub-section (1), -

(1) in clauses (i), (iii) and (v), for the word “Director”, the words “Director General” shall be substituted;

Amendment of
section 14 of Guj.
19 of 2005.

(2) for clause (iv), the following clause shall be substituted, namely :-

“(iv) Deans of the University;”.

**Amendment of
section 16 of Guj.
19 of 2005.**

10. In the principal Act, in section 16, in sub-section (1), in clauses (i) and (iii), for the word "Director", the words "Director General" shall be substituted.

**Amendment of
section 18 of Guj.
19 of 2005.**

11. In the principal Act, in section 18, -

- (1) for the word "Director", wherever it occurs, the words "Director General" shall be substituted;
- (2) in the marginal note, for the word "Director", the words "Director General" shall be substituted.

**Amendment of
section 19 of Guj.
19 of 2005.**

12. In the principal Act, in section 19, -

- (1) for the word "Director", wherever it occurs, the words "Director General" shall be substituted;
- (2) in the marginal note, for the word "Director", the words "Director General" shall be substituted.

**Amendment of
section 20 of Guj.
19 of 2005.**

13. In the principal Act, in section 20, in sub-section (2), in clauses (iii), (iv) and (vii), for the word "Director", the words "Director General" shall be substituted.

**Amendment of
section 21 of Guj.
19 of 2005.**

14. In the principal Act, in section 21, for the word "Director", wherever it occurs, the words "Director General" shall be substituted.

**Amendment of
section 34 of Guj.
19 of 2005.**

15. In the principal Act, in section 34, in sub-section (2), in clauses (xvii) and (xix), for the word "Director", the words "Director General" shall be substituted.

**Amendment of
section 35 of Guj.
19 of 2005.**

16. In the principal Act, in section 35, for the word "Director", the words "Director General" shall be substituted.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 10th May, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 11 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 11th May, 2016.)

AN ACT

further to amend the Gujarat Special Investment Region Act, 2009.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Special Investment Region (Amendment) Act, 2016.

Short title and commencement.

(2) It shall come in to force at once.

Amendment
of section 10
of Guj. 2 of
2009.

2. In the Gujarat Special Investment Region Act, 2009, in section 10, **Guj. 2 of 2009.** after clause (iv), the following clauses shall be inserted, namely:-

“(iv-a) such persons not exceeding four in number who are members of the local authorities functioning in the Special Investment Region, as may be nominated by the State Government;

(iv-b) the Presidents of the District Panchayats functioning in the Special Investment Region;”.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

HEALTH AND FAMILY WELFARE DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 10th June, 2016.

GUJARAT ORDINANCE NO. 2 OF 2016.

AN ORDINANCE

further to amend the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007.

WHEREAS, the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS, the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007;

Guj. 3 of 2008.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. ***Short title and commencement.***-(1) This Ordinance may be called the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

2. ***Guj. 3 of 2008 to be temporarily amended.***— During the period of operation of this Ordinance, the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (hereinafter referred to as “the principal Act”) shall have effect subject to the amendments specified in sections 3 and 4.

Guj. 3 of 2008.

3. ***Amendment of section 2 of Guj. 3 of 2008.***— In the principal Act, in section 2,-

- (i) in clause (h), the words “including fifteen per cent. Non-Resident Indian seats” shall be deleted;
- (ii) clause (i) shall be deleted.

4. ***Amendment of section 6 of Guj. 3 of 2008.***— In the principal Act, in section 6, in clause (ii), second proviso thereto shall be deleted.

S T A T E M E N T

The Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 provides for seventy-five per cent. Government seats and twenty-five per cent. Management seats which include fifteen per cent. Non-Resident Indian (NRI) seats for the purpose of admission into the Professional Medical Educational Colleges or Institutions.

It has been experienced for quite some time that in so far as the NRI seats are concerned, the benefit of the said seats is not fully taken by the NRIs and that most of the seats are filled in by those who are sponsored by such NRIs. As such it does appear that the purpose for which the NRI seats are earmarked is not fully served. Again, it has also been experienced that those students who complete their course on the NRI seats do not stay back to serve in the rural areas of the State where there is an acute shortage of medical practitioners. As such, in order that more seats become available to the local students and the rural areas of the State get the services of more medical practitioners, it is considered necessary to do away with the NRI seats in the Professional Medical Educational Colleges or Institutions. The relevant provisions as regards the NRI seats are, therefore, deleted to achieve the purpose.

As the Legislative Assembly of the State of Gujarat is not in session, this Ordinance is promulgated to amend the said Act to achieve the aforesaid object.

O.P.KOHLI,

Dated the 8th June, 2016.

Governor of Gujarat.

By order and in the name of the Governor Gujarat,

J. P. GUPTA,

Principal Secretary to Government.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the President on the 8th August, 2016 is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 12 OF 2016.

(First published, after having received the assent of the President, in the "Gujarat Government Gazette", on the 12th August, 2016.)

AN ACT

further to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in its application to the State of Gujarat.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

- (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Gujarat Amendment) Act, 2016.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and commencement.

Amendment
of section 2
of 30 of
2013.

2. In the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as "the principal Act"), in section 2, in sub-section (2), after the second proviso, the following proviso shall be inserted, namely:-

30 of 2013.

"Provided also that the acquisition of land for the projects listed in section 10A and the purposes specified therein shall be exempted from the provisions of the first proviso to this sub-section.".

Insertion of
new section 10A
in 30 of 2013.

3. In the principal Act, after section 10, the following section shall be inserted, namely:-

Power of
State
Government
to exempt
certain
projects.

"10A. The State Government may, in the public interest, by notification in the *Official Gazette*, exempt any of the following projects from the application of the provisions of Chapter II and Chapter III of this Act, namely:-

- (a) such projects vital to national security or defence of India and every part thereof, including preparation for defence or defence production;
- (b) rural infrastructure including electrification;
- (c) affordable housing and housing for the poor people;
- (d) industrial corridors set up by the State Government and its undertakings (in which case the land shall be acquired up to one kilometer on both sides of designated railway line or roads for such industrial corridor); and
- (e) infrastructure projects including projects under public-private partnership where the ownership of land continues to vest with the Government:

Provided that the State Government shall, before the issue of notification, ensure the extent of land for the proposed acquisition keeping in view the bare minimum land required for such project.".

4. In the principal Act, after section 23, the following section shall be inserted, namely:-

“23A. (1) Notwithstanding anything contained in section 23, if at any stage of the proceedings, the Collector is satisfied that all the persons interested in the land who appeared before him have agreed in writing on the matters to be included in the award of the Collector in the form prescribed by rules made by the State Government, he may, without making further enquiry, make an award according to the terms of such agreement.

(2) The determination of compensation for any land under sub-section (1) shall not in any way affect the determination of compensation in respect of other lands in the same locality or elsewhere in accordance with the other provisions of this Act.

16 of 1908. (3) Notwithstanding anything contained in the Registration Act, 1908, no agreement made under sub-section (1) shall be liable to registration under that Act.”.

5. In the principal Act, in section 24, in sub-section (2), after the existing proviso, the following proviso shall be inserted, namely:-

“Provided further that in computing the period referred to in this sub-section, any period or periods during which the proceedings for acquisition of the land were held up on account of any stay or injunction issued by any court or the period specified in the award of a Tribunal for taking possession or such period where possession has been taken but the compensation is lying deposited in a court or in any designated account maintained for this purpose, shall be excluded.”.

6. In the principal Act, after section 31, the following section shall be inserted, namely:-

“31A. Notwithstanding anything contained in this Act, it shall be competent for the State Government to pay, whenever the land is

Insertion of new section 23A in 30 of 2013.

Award of Collector without enquiry in case of agreement of interested persons.

Amendment of section 24 of 30 of 2013.

Insertion of new section 31A in 30 of 2013.

Payment of lump-sum amount by State Government for its linear nature projects.

to be acquired for its own use amounting to less than one hundred acres or whenever the land is to be acquired in case of projects which are linear in nature as referred to in proviso to sub-section (4) of section 10, as Rehabilitation and Resettlement cost, such *lump sum* amount equal to fifty per cent. of the amount of compensation as determined under section 27 to the affected families.”.

Amendment of section 40 of 30 of 2013.

7. In the principal Act, in section 40, in sub-section (2), after the words “approval of Parliament”, the words “or to comply with the directions given by the Central Government to the State Government” shall be added.

Amendment of section 46 of 30 of 2013.

8. In the principal Act, in section 46, in sub-section (6), in the *Explanation*, in clause (b), sub-clauses (i) and (ii) shall be deleted.

Substitution of section 87 of 30 of 2013.

9. In the principal Act, for section 87, the following section shall be substituted, namely:-

Offences by Government Officials.

“87. Where any offence under this Act has been committed by any person who is or was employed in the Central Government or the State Government, as the case may be, at the time of commission of such alleged offence, the court shall take cognizance of such offence provided the procedure laid down in section 197 of the Code of Criminal Procedure, 1973 is followed.”.

2 of 1974.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 25th August, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 13 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 26th August, 2016.)

AN ACT

further to amend the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) (Amendment) Act, 2016.

(2) This section and sections 3 and 4 shall come into force at once and section 2 shall be deemed to have come into force on the 10th June, 2016.

Amendment of section 2 of Guj. 3 of 2008.

2. In the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (hereinafter referred to as “the principal Act”), in section 2, in clause (i), the words “or the dependents for the education purpose” shall be deleted.

Amendment of section 10 of Guj. 3 of 2008.

3. In the principal Act, in section 10, to sub-section (3), the following proviso shall be inserted, namely:-

“Provided that the Fee Regulatory Committee may determine different fee for three consecutive academic years at a time and may also determine different fee for each of the years of the duration of the professional course to which a student is admitted.”.

Repeal and Savings.

4. (1) The Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) (Amendment) Ordinance, 2016 is hereby repealed. Guj. Ord. 2 of 2016.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act. Guj. 3 of 2008.

Extra No. 16

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 2nd September, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 14 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 3rd September, 2016.)

AN ACT

further to amend the Gujarat Court-fees Act, 2004.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Court-fees (Amendment) Act, 2016.

(2) It shall come into force at once.

Short title and
commencement.

Guj. 4 of
2004.

2. In the Gujarat Court-fees Act, 2004, section 32 shall be deleted.

Deletion of
section 32
of Guj. 4 of
2004.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 7th September, 2016 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 15 OF 2016.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 7th September, 2016.)

AN ACT

further to amend the Gujarat Provision for Disqualification of members
of Local Authorities for Defection Act, 1986.

It is hereby enacted in the Sixty-seventh Year of the Republic of India
as follows:-

1. (1) This Act may be called the Gujarat Provision for Disqualification of Members of Local Authorities for Defection (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force at once.

Amendment
of section 6
of Guj. 23 of
1986.

2. In the Gujarat Provision for Disqualification of Members of Local Authorities for Defection Act, 1986 (hereinafter referred to as "the principal Act"), in section 6, after the words "in this behalf", the words "or to such retired officer who, at the time of his retirement was holding the post not below the rank of a Secretary to the Government as may be appointed by the State Government in this behalf" shall be inserted.

Guj. 23 of 1986.

Amendment
of section 7
of Guj. 23 of
1986.

3. In the principal Act, in section 7, -
(i) after the words "in this behalf", the words "or a retired officer who, at the time of his retirement was holding the post not below the rank of a Secretary to the Government" shall be inserted;
(ii) for the words "Chief Secretary or the designated officer", the words "Chief Secretary, the designated officer or the retired officer" shall be substituted.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 5th September, 2016 is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 16 OF 2016.

(First published, after having received the assent of the President, in the "Gujarat Government Gazette", on the 16th September, 2016).

AN ACT

further to amend the Registration Act, 1908 in its application
to the State of Gujarat.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force at once.

XVI of 1908. 2. In the Registration Act, 1908, in its application to the State of Gujarat, in section 17, in sub-section (1), after clause (g), the following clauses shall be added, namely:- Amendment of section 17 of XVI of 1908.

"(h) any instrument authorising the promoter or the developer, by whatever name called, for construction of or development of, or transfer or assignment of, any immovable property;

(i) agreement relating to the constitution of partnership where any partner or partners bring his or their share by way of immovable property;

(j) any instrument by which any immovable property is taken as his share on dissolution of the partnership by any of the partners other than a partner who brought that property as his share to the partnership:".



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PART IV

**Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.**

URBAN DEVELOPMENT AND URBAN HOUSING

DEPARTMENT

Sachiyalaya, Gandhinagar, Dated the 4th October, 2016.

GUJARAT ORDINANCE NO. 3 OF 2016.

AN ORDINANCE

further to amend the Gujarat Town Planning and Urban Development Act, 1976.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

**President's
Act No.27 of
1976.**

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Town Planning and Urban Development Act, 1976;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. ***Short title and commencement.***— (1) This Ordinance may be called the Gujarat Town Planning and Urban Development (Amendment) Ordinance, 2016.
(2) It shall come into force at once.

**President's Act
No.27 of 1976.**

2. ***President's Act No. 27 of 1976 to be temporarily amended.***
During the period of operation of this Ordinance, the Gujarat Town Planning and Urban Development Act, 1976 shall have effect subject to the amendment specified in section 3.

**President's
Act No. 27
of 1976.**

3. ***Amendment of section 51 of President's Act No. 27 of 1976.***
In the Gujarat Town Planning and Urban Development Act, 1976, in section 51,—
 - (1) in the first proviso, the words “but not exceeding six months” shall be deleted;
 - (2) the second proviso shall be deleted.

STATEMENT

Existing provisions of section 51 of the Gujarat Town Planning and Urban Development Act, 1976 *inter alia* provide that the town planning officer within a period of twelve months of his appointment shall after following the prescribed procedure sub- divide the town planning scheme into a preliminary and final scheme. The State Government is empowered to extend the said time limit for the period not exceeding by six months. However, it has been experienced that the town planning officer, due to various reasons is not able to sub-divide the town planning scheme into a preliminary and final scheme within a period of maximum eighteen months, the period which is available under the provisions of section 51 of the said Act and therefore, it becomes difficult to adhere to the prescribed time limit for the purpose, which sometimes may result into the breach of the statutory provisions in this regard. It is therefore considered necessary to do away with the provisions which empower the State Government to extend the period of twelve months by a period not exceeding six months. Therefore, to achieve the purpose, necessary amendments are suitably carried out in the said section 51 of the said Act.

As the Gujarat Legislative Assembly is not in session, this Ordinance is promulgated to amend the said Act to achieve the aforesaid object.

O. P. Kohli,

Dated the 3rd October, 2016.

Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

Punamchand Parmar,

Additional Chief Secretary to Government.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

PANCHAYATS, RURAL HOUSING AND RURAL DEVELOPMENT DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 21st November, 2016.

GUJARAT ORDINANCE NO. 4 OF 2016.

AN ORDINANCE

further to amend the Gujarat Panchayats Act, 1993.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action
Guj. 18 of 1993. to amend the Gujarat Panchayats Act, 1993;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. *Short title and commencement.*-(1) This Ordinance may be called the Gujarat Panchayats (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

2. *Guj. 18 of 1993 to be temporarily amended.*-During the period of operation of this Ordinance, the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the Principal Act") shall have effect subject to the amendments specified in sections 3 and 4. Guj. 18 of 1993.

3. *Amendment of section 262 of Guj. 18 of 1993.*- In the principal Act, in section 262, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) Within four months of the said date, a panchayat for the amalgamated village shall be constituted in accordance with the provisions of this Act and such constituted panchayat, unless sooner dissolved under this Act, shall continue for five years from the date appointed for its first meeting and no longer.".

4. *Amendment of section 263 of Guj. 18 of 1993.*- In the principal Act, in section 263, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) Within four months of the said date, a panchayat for the respective new village shall be constituted in accordance with the provisions of this Act and such constituted panchayat, unless sooner dissolved under this Act, shall continue for five years from the date appointed for its first meeting and no longer.".

STATEMENT

Sections 262 and 263 of the Gujarat Panchayats Act, 1993 provide for the effect of amalgamation of villages and effect of division of villages, respectively.

Sub-section (2) of section 262 of the said Act provides that a panchayat for the amalgamated village shall be constituted within four months of the said date and its duration shall be for such period as the State Government may, having regard to the remainder of the period for which village panchayats in the District in which the amalgamated village is situated, by notification in the *Official Gazette*, specify.

Sub-section (1) of section 263 of the said Act *inter alia* provides that when any village is split up into two or more villages, then, with effect from the date on which the village is so split, the panchayat constituted in respect of such local area shall stand dissolved. Sub-section (2) of the said section 263 provides that a panchayat for a new village shall be constituted within four months of the said date and its duration shall be for such period as the State Government may, having regard to the remainder of the period for which village panchayats in the District in which the respective new villages are situated, by notification in the *Official Gazette*, specify.

It thus appears from the above said provisions that in case of a new village or in case of an amalgamated village, the duration of such panchayat shall be such as may be notified by the State Government taking into consideration the remainder of the period of other village panchayats situated in the concerned district. However, such is not the case with the municipality when a municipality is split up into two or more municipalities as the duration of such reconstituted municipality is five years as provided in section 266 of the Gujarat Municipalities Act, 1963. The Government is of the view that when the amalgamated village or a new village under sections 262 and 263, respectively is constituted, its duration should also be of five years in view of the fact that such panchayats are constituted as a result of the election held for

the purpose of constituting the panchayat. The Government is also of the view that the duration of such panchayats should be on the same lines as in the case of split up municipalities.

Sub-section (2) of section 262 and sub-section (2) of section 263 are therefore, amended suitably in order that the amalgamated village or a new village, when constituted, shall have duration of five years.

As the Legislative Assembly of the State of Gujarat is not in session, this Ordinance is promulgated to amend the said Act to achieve the aforesaid object.

O. P. KOHLI,

Dated the 18th November, 2016.

Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

Raj Gopal,

Principal Secretary to Government.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

URBAN DEVELOPMENT AND URBAN HOUSING DEPARTMENT

Sachivalaya, Gandhinagar, dated the 3rd December, 2016.

GUJARAT ORDINANCE NO. 5 OF 2016.

AN ORDINANCE

further to amend the Gujarat Provincial Municipal Corporations Act, 1949.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that Bom. LIX circumstances exist which render it necessary for him to take immediate action of 1949. to amend the Gujarat Provincial Municipal Corporations Act, 1949;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. *Short title and commencement.*-(1) This Ordinance may be called the Gujarat Provincial Municipal Corporations (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

2. *Bom. LIX of 1949, to be temporarily amended.*-During the period of operation of this Ordinance, the Gujarat Provincial Municipal Corporations Act, 1949 shall have effect subject to the amendment specified in section 3.

Bom. LIX
of 1949.

3. *Amendment of section 19 of Bom. LIX of 1949.*-In the Gujarat Provincial Municipal Corporations Act, 1949, in section 19,-

(1) for sub-section (1AA), the following sub-section shall be substituted, namely:-

“(1AA) The Corporation shall at its first meeting after general elections and at its first meeting on expiry of succeeding two and half years elect from amongst the councillors one of its members to be the Deputy Mayor:

Guj. Ord. 5 of
2016.

Provided that the term of the existing Deputy Mayor who is holding the post as such on the date of commencement of the Gujarat Provincial Municipal Corporations (Amendment) Ordinance, 2016 shall be two and half years or till the remainder period of duration of the Corporation, whichever is earlier:

Provided further that the term of the Deputy Mayor, if any, who may be elected after the expiry of the term of the existing Deputy Mayor, shall be till the remainder period of duration of the Corporation.”;

(2) in sub-section (2), after the words, brackets and figure “sub-section (1)”, the words, brackets, figures and letters “or sub-section (1AA), as the case may be,” shall be inserted.

STATEMENT

The existing provisions of sub-section (1AA) of section 19 of the Gujarat Provincial Municipal Corporations Act, 1949 provides for the term of the Deputy Mayor of the Corporation of one year. The term of the Mayor, the Chairman and the members of the Standing Committee, the Chairman and the members of the Transport Committee and the members of every Special Committee of the Corporation is two and half years.

It is, therefore, considered necessary to fix the term of the Deputy Mayor for a period of two and half years so as to bring parity, in so far as the term of the Deputy Mayor is concerned, with other office-bearers. Accordingly sub-section (1AA) of section 19 of the said Act is amended suitably. Provision is also made for enabling the existing Deputy Mayors to have the term of two and half years. Certain consequential amendments have also been carried out.

As the Legislative Assembly of the State of Gujarat is not in session, this Ordinance is promulgated to amend the said Act to achieve the aforesaid object.

Gandhinagar,
Dated the 3rd December, 2016

O.P.KOHLI,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

Punamchand Parmar,
Additional Chief Secretary to Government.



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

REVENUE DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 15th December, 2016.

GUJARAT ORDINANCE NO. 6 OF 2016.

AN ORDINANCE

to provide for validation of occupancy and allotment of certain lands of excess vacant land vested in the State Government under sub-section (3) of section 10 of the Urban Land (Ceiling and Regulation) Act, 1976 and whose possession had been taken over by the State Government prior to the 30th March, 1999 and for the matters connected therewith or incidental thereto.

WHEREAS the Government of India had enacted the Urban Land 33 of 1976. (Ceiling and Regulation) Act, 1976 to provide for the imposition of a ceiling

on vacant land in urban agglomerations and for the acquisition of such land in excess of the ceiling limit;

AND WHEREAS in view of sub-section (2) of section 1 of the Urban Land (Ceiling and Regulation) Repeal Act, 1999, the said Repealing Act shall 15 of 1999. apply to any other State from the date on which the Legislature of the State adopts the Act by passing a resolution in that behalf under clause (2) of article 252 of the Constitution of India;

AND WHEREAS the Gujarat State Legislature had adopted the said Repealing Act, 1999 by resolution on *the* 30th March, 1999 and thus it has come into force in the State of Gujarat with effect from the 30th March, 1999;

AND WHEREAS the Urban Land (Ceiling and Regulation) Act, 1976 33 of 1976. Act has thus been repealed by the Urban Land (Ceiling and Regulation) Repeal Act, 1999 with effect from the 30th March, 1999; 15 of 1999.

AND WHEREAS before the repeal of the said Act of 1976, certain excess vacant lands have been vested in the State Government under the provisions of the said repealed Act ;

AND WHEREAS the State Government is required to allot such surplus excess land vested in it in the manner as provided in the said repealed Act;

AND WHEREAS the residential structures had already come up on such excess vacant land the possession of which had been taken over by the State Government prior to the 30th March, 1999;

AND WHEREAS the persons belonging to the lower economic strata of the society in the urban agglomerations have been in occupancy of the residential structures and as such are in the occupation of such excess vacant lands;

AND WHEREAS the State Government is of the view that it will cause great hardships to such occupants if steps are taken to remove them from such occupancy;

AND WHEREAS the State Government is committed to furthering equitable distribution of land in the urban agglomerations for the benefit of the economically weaker sections of the society;

AND WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to validate possession of such occupancies and allot to such occupants certain excess vacant land vested in the State Government;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. *Short title and commencement.*-(1) This Ordinance may be called the Gujarat Validation of Occupancy and Allotment of Certain Lands of Excess Vacant Land Vested in the State Government (under the Urban Land (Ceiling and Regulation) Act, 1976) Ordinance, 2016.

(2) It shall come into force at once.

2. *Definitions.*-In this Ordinance, unless the context otherwise requires,-

Bom. LIX
of 1949.

- (a) "Corporation" means the Municipal Corporation as defined by clause (10) of section 2 of the Gujarat Provincial Municipal Corporations Act, 1949;
- (b) "excess vacant land" means the land vested in the State Government the possession of which has been taken over by the State Government under the repealed Act before the 30th March, 1999;
- (c) "occupant" means the person who is in occupation of the residential structure constructed on the excess vacant land from or prior to 1st January, 2011 till the date of coming into force of this Ordinance and includes such person who as a result of a transaction or transactions during the period commencing from 1st January, 2011 and ending on 31st May,

2016 is in occupation of such structure on the date of coming into force of this Ordinance;

(d) "occupancy price" means such sum of money as notified by the State Government which the occupant is obliged to pay for validating the occupancy;

(e) "prescribed" means prescribed by rules made under section 15;

(f) "repealed Act" means the Urban Land (Ceiling and Regulation) Act 1976;

33 of 1976.

(g) "residential structure" means an abode of any type on the excess vacant land used by the occupant for the purpose of personal habitation and includes any appurtenant livelihood activities within the said structure;

(h) "State Government" means the Government of Gujarat.

3. Validation of Occupancy and Allotment of Excess Vacant Land.- Notwithstanding anything contained in any other law or in any judgment, decree or order of any competent Court, the State Government may validate the occupancy and allot certain lands of the excess vacant land vested in it, whose possession was taken over under the repealed Act in the manner as provided hereinafter.

4. Application for Validation of Occupancy of Land and Allotment thereof.- The occupant of the residential structure shall, for the purpose of validation of his occupancy of land and allotment thereof, make an application, in the prescribed form along with such fee as may be prescribed towards the occupancy price as may be determined by the State Government in this behalf, to the Mamlatdar within a period of three months from the date of coming into force of this Ordinance or within such time as may be extended by the State Government by an order, from time to time.

5. Documents to be Submitted with Application.- (1) The occupant shall, alongwith his application shall submit a copy of notice given to him under sections 61 and 202 of the Gujarat Land Revenue Code, 1879 and the orders thereunder, if any.

Bom. V of 1879.

(2) The occupant shall, in order to claim the occupancy, submit alongwith his application of the oldest possible origin, any one or more of the following documents, namely:-

- (i) Ration Card;
- (ii) Aadhar Card;
- (iii) Passport;
- (iv) Driving Licence;
- (v) Voter ID card;
- (vi) Electricity bill;
- (vii) Property tax bill;
- (viii) Water Charges bill:

Provided that the occupant, may in support of his claim of his occupancy, also submit the copy of the sale deed or agreement for sale or an instrument for possession, if any.

(3) The occupant shall, for the purpose of his identity, submit alongwith his application any one or more of the following documents, namely:-

- (i) PAN card;
- (ii) Aadhar card;
- (iii) Passport;
- (iv) Driving License;
- (v) Voter ID card.

6. *Notice for Inviting Objections by Mamlatdar.*- The Mamlatdar shall, after receiving the application under section 4, issue a notice in such form as may be prescribed inviting thereby the objections from any person within a period of one month from the date of such notice with regard to the claim of occupancy made by the occupant.

7. *Decision of the Mamlatdar.*- (1) In case where the objections have been received pursuant to the notice under section 6, the Mamlatdar shall

consider the same and after giving an opportunity of being heard to all concerned and considering the claims made by them, may either grant the application of the occupant or reject the same.

(2) In case where the occupant's application is not rejected under sub-section (1) and the Mamalatdar is satisfied about the genuineness of the claim of the occupant in respect of the residential structure taking into consideration the relevant documents, he shall issue a notice to the occupant directing thereby him to make the remaining payment towards the occupancy price for the purpose of validation of occupancy and allotment of the excess vacant land:

Provided that for arriving at such satisfaction as referred to above, the Mamalatdar may also take into consideration any data of house to house survey carried out by either the Central Government or the State Government, as the case may be, old records of Ration card and Electoral roll or any other document or documents, as he deems fit, which may be available in his office or in any other public office.

(3) The occupant shall, within a period of one month of the receipt of the notice under sub-section (2), make the necessary payment as envisaged in the notice, failing which his application shall be deemed to have been rejected.

(4) After the necessary payment as provided under sub-section (3) is made, the Mamalatdar shall pass an order, in such form as may be prescribed, of validation of occupancy and allotment of the excess vacant land in the manner and subject to such condition as the State Government may prescribe.

8. Bar of transfer of Allotted Land.-No occupant in whose favour an order is made under sub-section (4) of section 7 for allotment of land or his heirs shall transfer such land before the expiry of fifteen years from the date of such order.

9. Consequences in the event of failing to make an application.-In case where the occupant of any residential structure fails to make an application as provided under section 4 within the prescribed time limit, the occupant shall be

removed from such residential structure and the Mamalatdar shall take the possession of the same treating the residential structure as the encroachment on the excess vacant land in the manner as laid down under the provisions of the **Bom.V of 1879.** Gujarat Land Revenue Code, 1879.

10. *Appeal.* (1) Any person making a claim including the occupant, being aggrieved by any order of the Mamalatdar under section 7, may prefer an appeal before the Appellate Officer within a period of sixty days from the receipt of such order:

Provided that if the Appellate Officer is satisfied that such person was prevented from preferring an appeal within the prescribed time limit for sufficient cause, he may entertain the appeal even after such prescribed time limit but not exceeding six months:

Provided further that in case where appeal is preferred by any person or the occupant, the same shall not be entertained unless the payment is made as is determined by the State Government under section 4 while making an application by the occupant.

(2) The State Government may appoint, by notification in the *Official Gazette*, as many Deputy Collectors as the Appellate Officers for different areas or for part of any area.

(3) The Appellate Officer shall, after affording an opportunity of being heard to such person, may confirm, revise or dismiss the order against which the appeal is preferred.

11. *Revision.* (1) Any person, including the occupant, being aggrieved by any order of the Appellate Officer made under section 10, may prefer revision application before the Special Secretary, Revenue Department (Appeal) within a period of sixty days of such order and his decision shall be final:

Provided that in case where the revision application is preferred by any person or the occupant, the same shall not be entertained unless the payment is

made as is determined by the State Government under section 4 while making an application by the occupant.

(2) The Special Secretary, Revenue Department (Appeal) may constitute the special benches at Surat, Vadodara and Rajkot for entertaining the applications made under sub-section (1).

12. *Bar of Jurisdiction of Civil Court.*- No Civil Court shall have any jurisdiction to deal with or decide any question which the Mamalatdar, the Appellate Officer or the Revision Authority is empowered to deal with or decide by or under this Ordinance and no injunction shall be granted by any Civil Court in respect of any action taken or to be taken in pursuance of any power by or under this Ordinance.

13. *Payment Under Sections 4, 10 and 11 to be Refundable.*-Any payment made as provided under section 4 by the occupant along with the application or any payment made under section 10 for preferring an appeal or for preferring revision application under section 11 shall be refundable in case where the application, or the appeal or the revision application is rejected or dismissed, as the case may be.

14. *Indemnity.*-No suit or other legal proceedings shall lie against the State Government or any officer of the State Government in respect of anything which is in good faith done or intended to be done by or under this Ordinance.

15. *Power to make rules.*-(1)The State Government may, by notification in the *Official Gazette*, make rules for carrying out all or any of the purposes of this Ordinance.

(2) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be they are made and shall be subject to the recession by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

(3) Any recession or modification so made by the State Legislature shall be published in the *Official Gazette*, and shall thereupon take effect.

16. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by an order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Ordinance as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the commencement of this Ordinance.

STATEMENT

The Government of India had enacted the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976) to provide for the imposition of a ceiling on vacant land in urban agglomerations and for the acquisition of such land in excess of the ceiling limit. In view of sub-section (2) of section 1 of the Urban Land (Ceiling and Regulation) Repeal Act, 1999, the said Repealing Act shall apply to any other State from the date on which the Legislature of the State adopts the Act by passing the resolution in that behalf under clause (2) of article 252 of the Constitution of India. The Gujarat State Legislature has adopted the said Repealing Act, 1999 by a resolution on the 30th March, 1999 and thus it has come into force in the State of Gujarat with effect from the 30th March, 1999. The Urban Land (Ceiling and Regulation) Act, 1976 has thus been repealed by the Urban Land (Ceiling and Regulation) Repeal Act, 1999 with effect from the 30th March, 1999.

Before the repeal of the said Act of 1976, certain excess vacant lands had vested in the State Government under the provisions of the said repealed Act, the possession of which had been taken over by the State Government. The State Government is required to allot such surplus excess land vested in it in the manner as provided in the said repealed Act. However, in certain cases, the residential structures had already come up before the 30th March, 1999 on such excess vacant land the possession of which had been taken over by the State Government. The average holding size of the excess land occupied by the person concerned is in the range of twenty-five Sq.Mtrs. to seventy Sq.Mtrs. which itself suggests that most of the said persons belong to the weaker sections of the society in the urban agglomerations who have been in occupancy of the residential structures and as such are in the occupation of such excess vacant lands.

The State Government has been allotting the excess vacant land for the intended purpose particularly for housing for the economically weaker sections of the society. However, some of the excess vacant land had constructions, and therefore, the possession of such lands was taken along with constructions, such lands could not be allotted for the intended purpose since the said lands

had constructions mostly residential and in some cases industrial and commercial in nature.

The said occupants, particularly residential occupants have an infirm title over these lands and hence are unable to access the formal financial system, for the purpose of credit, up-gradation and expansion of their housing requirements. Therefore, this form of residential housing is slowly dilapidating over the time and this is causing a grave risk to public health. In addition, the occupants are also living under the threat of dispossession furthering deepening sense of vulnerability among the lower economic strata.

On the other hand, the State Government has adopted a policy of providing housing at affordable prices for the lower and middle class of the society so as to bring about an overall improvement in the standard of living and for rehabilitation of slums and poor housing stock in urban areas. While the encroachment for residential purposes on Government and private lands classified as slums have the benefit of the slum rehabilitation policy, residents on excess vacant lands could not benefit from the policies for up gradation of housing for the urban poor and lower middle class. It is therefore necessary to afford an opportunity to these residents to validate their occupancy and thus enable them to enjoy the benefit of housing as part of the overall policy to provide housing for all.

The State Government is of the view that it will cause great hardship to such occupants if steps are taken to remove them from such occupancy. The State Government is committed to furthering equitable distribution of land in the urban agglomerations for the benefit of the economically weaker sections of the society.

The State Government has, therefore, decided to validate the occupancy and allot certain lands of these excess vacant land whereon the residential structures have been constructed by the occupants who are in possession of such excess vacant land on the date of coming into force of this Ordinance in order to mitigate the grave hardships which they may have to otherwise face. Occupancy shall be validated in case where a person who is in occupation of the residential structure constructed on the excess vacant land from or prior to

1st January, 2011 till the date of coming into force of this Ordinance or who as a result of a transaction or transactions during the period commencing from 1st January, 2011 and ending on 31st May, 2016 is in occupation of such structure on the date of coming into force of this Ordinance and in view of this, no occupancy shall be validated in case where a person claims to have come into possession of such residential structure on or after 1st June, 2016.

As the Legislative Assembly of the State of Gujarat is not in session, the Gujarat Validation of Occupancy and Allotment of Certain Lands of Excess Vacant Land Vested in the State Government (under the Urban Land (Ceiling and Regulation) Act, 1976) Ordinance, 2016 is promulgated to achieve the aforesaid object.

O. P. KOHLI,

Dated the 13th December, 2016

Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

HAREET SHUKLA,

Secretary to Government.



The Gujarat Government Gazette

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

HOME DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 19th December, 2016.

GUJARAT ORDINANCE NO. 7 OF 2016.

AN ORDINANCE

further to amend the Gujarat Prohibition Act, 1949.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Prohibition Act, 1949;

Bom. XXV
of 1949.

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. *Short title and commencement.*-(1) This Ordinance may be called the Gujarat Prohibition (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

2. *Bom. XXV of 1949 to be temporarily amended.*- During the period of operation of this Ordinance, the Gujarat Prohibition Act, 1949 (hereinafter referred to as “the principal Act”) shall have effect subject to the amendments specified in sections 3 to 28.

Bom. XXV of 1949.

3. *Amendment of section 2 of Bom. XXV of 1949.*- In the principal Act, in section 2, in clauses (29), (33) and (52), for the words and figures “the Code of Criminal Procedure, 1898”, the words and figures “the Code of Criminal Procedure, 1973” shall be substituted.

V of 1898.

2 of 1974.

4. *Amendment of section 65 of Bom. XXV of 1949.*- In the principal Act, in section 65,-

- (i) in clause (e), for the words “sells or buys”, the words “possesses, transports, sells or buys” shall be substituted;
- (ii) for the portion beginning with the words “shall, on conviction” and ending with the words “also with fine”, the following portion and the proviso thereunder shall be substituted, namely:-

“shall, on conviction, be punished for each such offence with imprisonment for a term which may extend to ten years and with fine which may extend to five lakh rupees:

Provided that, in absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court-

- (i) for a first offence, such imprisonment shall not be less than two years and fine shall not be less than one lakh rupees;
- (ii) for a second offence, such imprisonment shall not be less than three years and fine shall not be less than two lakh rupees;

(iii) for a third or subsequent offences, such imprisonment shall not be less than seven years and fine shall not be less than five lakh rupees.”.

5. *Insertion of a new section 65AA in Bom. XXV of 1949.*-In the principal Act, after section 65, the following section shall be inserted, namely:-

Punishment for possession, etc., of lesser quantity of intoxicant.

“65AA. Notwithstanding anything contained in sections 65 or 66, whoever sells, buys, possesses or transports any intoxicant which is less than in quantity as specified by the State Government by notification in the *Official Gazette*, shall, on conviction, be punished, for each such offence with imprisonment for a term which may extend to three years and also with fine.”.

6. *Amendment of section 66 of Bom. XXV of 1949.*- In the principal Act, in section 66, in sub-section (1),-

(i) in clause (b), for the words “consumes, uses, possesses or transports”, the words “consumes or uses” shall be substituted;

(ii) for paras (ii) and (iii), the following para shall be substituted, namely:-

“(ii) for a second or subsequent offences, with imprisonment for a term which may extend to two years but which shall not be less than six months and with fine which may extend to two thousand rupees.”.

7. *Amendment of section 67 of Bom. XXV of 1949.*- In the principal Act, in section 67,-

(i) in sub-section (1), for the words “one year” and “one thousand rupees”, the words “three years” and “one lakh rupees” shall be substituted, respectively;

(ii) in the proviso to sub-section (1), for the words “three months” and “five hundred rupees”, the words “one year” and “fifty thousand rupees” shall be substituted, respectively.

8. *Amendment of section 67-1A of Bom. XXV of 1949.*- In the principal Act, in section 67-1A,-

- (i) in sub-section (1), for the words "one year" and "one thousand rupees", the words "three years" and "one lakh rupees" shall be substituted, respectively;
- (ii) in the proviso to sub-section (1), for the words "three months" and "five hundred rupees", the words "one year" and "fifty thousand rupees" shall be substituted, respectively.

9. *Amendment of section 68 of Bom. XXV of 1949.*- In the principal Act, in section 68, for the portion beginning with the words "shall, on conviction" and ending with the words "one thousand rupees" as appearing in clause (iii), the following portion shall be substituted, namely:-

"shall, on conviction, be punished for each such offence with imprisonment for a term which may extend to ten years but which shall not be less than seven years and with fine which may extend to one lakh rupees."

10. *Amendment of section 85 of Bom. XXV of 1949.*- In the principal Act, in section 85, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) Whoever, in any street, thoroughfare, public place, in any place to which the public have or are permitted to have access, is drunk and creates nuisance, takes up a quarrel with any person, uses foul or abusive language, indulges in fight with others, misbehaves with any woman or behaves obscenely, shall, on conviction, be punished with imprisonment for a term which may extend to three years but which shall not be less than one year and with fine."

11. *Amendment of section 91 of Bom. XXV of 1949.*- In the principal Act, in section 91, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

V of 1898.

2 of 1974.

12. *Deletion of section 92 of Bom. XXV of 1949.*- In the principal Act, section 92 shall be deleted.

13. *Amendment of section 93 of Bom. XXV of 1949.*- In the principal Act, in section 93, in sub-section (2), for the words and figures
v of 1898. “the Code of Criminal Procedure, 1898”, the words and figures “the
2 of 1974. Code of Criminal Procedure, 1973” shall be substituted.

14. *Amendment of section 97 of Bom. XXV of 1949.*- In the principal Act, in section 97,-

(i) for the words “one year” and “one thousand rupees”, the words “three years” and “fifty thousand rupees” shall be substituted, respectively;

(ii) the following proviso shall be added, namely:-

“Provided that any officer who abets the offence punishable under section 65A shall, on conviction, be punished with imprisonment which may extend to seven years and with fine which may extend to one lakh rupees.”.

15. *Amendment of section 102 of Bom. XXV of 1949.*- In the principal Act, in section 102, in sub-section (1), for the words and figures
v of 1898. “the Code of Criminal Procedure, 1898”, the words and figures
2 of 1974. “the Code of Criminal Procedure, 1973” shall be substituted.

16. *Amendment of section 104 of Bom. XXV of 1949.*- In the principal Act, in section 104, in the first proviso to sub-section (1), for the words “not exceed five hundred rupees”, the words “be such as the State Government may by notification in the *Official Gazette*, specify” shall be substituted.

17. *Amendment of section 104A of Bom. XXV of 1949.*- In the principal Act, in section 104A, for the words and figures “section 562 of
v of 1898. the Code of Criminal Procedure, 1898”, the words and figures “section
2 of 1974. 360 of the Code of Criminal Procedure, 1973” shall be substituted.

18. *Deletion of section 115 of Bom. XXV of 1949.*- In the principal Act, section 115 shall be deleted.

19. *Amendment of section 115A of Bom. XXV of 1949.*- In the principal Act, in section 115A, for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

V of 1898.
2 of 1974.

20. *Deletion of sections 116 and 116A of Bom. XXV of 1949.*- In the principal Act, sections 116 and 116A shall be deleted.

21. *Amendment of section 117 of Bom. XXV of 1949.*- In the principal Act, in section 117, for the portion beginning with the words "Save as otherwise" and ending with the words and figures "Code of Criminal Procedure, 1898", the following portion shall be substituted, namely:-

"All investigations, arrests, detention in custody and searches shall be made in accordance with the provisions of the Code of Criminal Procedure, 1973.".

2 of 1974.

22. *Deletion of section 118 of Bom. XXV of 1949.*- In the principal Act, section 118 shall be deleted.

23. *Amendment of section 120 of Bom. XXV of 1949.*- In the principal Act, the existing section 120 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:-

"(2) Whoever assaults or obstructs any officer or person from discharging his duties or exercising his powers under this Act, shall on conviction, be punished with imprisonment which may extend to five years and with fine which shall not be less than five lakh rupees.".

24. *Amendment of section 128 of Bom. XXV of 1949.*- In the principal Act, in section 128, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

V of 1898.
2 of 1974.

25. *Amendment of section 129 of Bom. XXV of 1949.*- In the principal Act, in section 129, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

26. *Amendment of section 131 of Bom. XXV of 1949.*- In the principal Act, in section 131, for the words and figures "the Code of Criminal Procedure, 1898" occurring at two places, the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

27. *Amendment of section 141 of Bom. XXV of 1949.*- In the principal Act, in section 141, in sub-section (1), for the words and figures, "under sections 65", the words, figures and letter "under sections 65, 65A," shall be substituted.

28. *Amendment of section 146A of Bom. XXV of 1949.*- In the principal Act, in section 146A, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted.

STATEMENT

The State of Gujarat has been a dry State since its inception in 1960 and since then all successive governments have adhered to the policy of prohibition and have implemented the same vigorously. The State Government is also fully committed to the said policy and does not intend to let it up in any manner whatsoever. This State Government is also committed to the ideals and principles of Mahatma Gandhi and firmly intends to eradicate the menace of the drinking of liquor. This Government is well aware of the ill-effects of the habit of drinking, particularly amongst the down trodden.

It has come to the notice of the State Government that with the increase of facilities in transportation and communication, it has become rather easier for the bootleggers and offenders to indulge in transportation of liquor from other States to this State and from one place to another within the State. In order to implement the policy of prohibition more strictly and more vigorously, it is inevitable that the transportation of liquor is restricted to the greatest extent. It is also inevitable that other activities relating to liquor like manufacturing, bottling, selling, buying are also restricted as far as possible.

The present Prohibition Act as applicable in the State of Gujarat was enacted in the year 1949. The punishments provided for different offences under this Act are not deterrent enough to create a fear in the minds of the offenders and as a result of which the offenders continue to indulge in the offences under the Act without much fear and the offences under the Act have been increasing to the extent to which the State Government can not keep its eyes closed. To curb this menace, the State administration and the police force are taking all necessary steps but it appears that it has also become absolutely necessary that those who contravene the provisions of the Act are awarded more deterrent punishments than the present ones.

It is, therefore, considered necessary to increase the quantum of punishment provided under the said Act and as such relevant sections are amended accordingly to achieve the object. An opportunity is also

taken to amend the reference of the Code of Criminal Procedure, 1898 in the Act to that of the Code of Criminal Procedure, 1973 and certain sections are also deleted taking into consideration the non-applicability of the same.

As the Legislative Assembly of the State of Gujarat is not in session, the Gujarat Prohibition (Amendment) Ordinance, 2016 is promulgated to achieve the aforesaid objects.

O. P. KOHLI

Dated the 19th December, 2016.

Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

M. S. DAGUR

Additional Chief Secretary to Government.

Government Central Press, Gandhinagar



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

LEGISLATIVE AND PARLIAMENTARY AFFAIRS DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 20th December, 2016.

GUJARAT ORDINANCE NO. 8 OF 2016.

AN ORDINANCE

further to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly and of Ministers and Leader of the Opposition.

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly and of Ministers and Leader of the Opposition;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. *Short title and commencement.*- (1) This Ordinance may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

2. *Guj. II of 1960, Guj. III of 1960, Guj. VI of 1960 and Guj. 16 of 1979 to be temporarily amended.*- During the period of operation of this Ordinance, the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, the Gujarat Ministers' Salaries and Allowances Act, 1960 and the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979 shall have effect subject to the amendments specified in sections 3 to 7.

Guj. II of 1960.

Guj. III of 1960.

Guj. VI of 1960.

Guj. 16 of 1979.

3. *Amendment of section 8 of Guj. II of 1960.*- In the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, in section 8,-

Guj. II of 1960.

(i) sub-section (5) shall be deleted;

(ii) *Explanation (2)* shall be deleted.

4. *Deletion of sections 7 and 12E of Guj. III of 1960.*- In the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, section 7 and section 12E shall be deleted.

Guj. III of 1960.

5. *Deletion of section 10 of Guj. VI of 1960.*- In the Gujarat Ministers' Salaries Guj. VI of 1960. and Allowances Act, 1960, section 10 shall be deleted.

6. *Deletion of section 7 of Guj. 16 of 1979.*- In the Gujarat Legislative Assembly Guj. 16 of 1979. (Leader of the Opposition) Salary and Allowances Act, 1979, section 7 shall be deleted.

7. *Amendment of section 12 of Guj. 16 of 1979.*- In the Gujarat Legislative Guj. 16 of 1979. Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, in section 12, in sub-section (2), clause (c) shall be deleted.

STATEMENT

The Members, the Speaker and the Deputy Speaker of the Gujarat Legislative Assembly, the Ministers and Leader of the Opposition, and the members of their family are entitled to medical facilities as provided in the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, the Gujarat Ministers' Salaries and Allowances Act, 1960 and the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, respectively.

It appears from the relevant existing provisions of the above said Acts that the medical facility is available to the Members, the Speaker and the Deputy Speaker of the Gujarat Legislative Assembly, the Ministers and Leader of the Opposition and their family members in the hospitals maintained by the Government. There is no law in existence for providing medical facilities to the ex-members of the Legislative Assembly and that the said members are provided the medical facilities by an executive order of the State Government. The State Government is considering the review of the overall policy of medical facilities available to the said dignitaries and to the ex-members of the Legislative Assembly. The State Government is of the view that the medical facilities to the said dignitaries and to the ex-members of Legislative Assembly should be provided by an executive order in order to have a uniform policy for all. In view of this, the relevant provisions as regards the medical facilities available to the said dignitaries are either deleted or amended so as to enable the State Government to frame a separate policy in this regard.

As the Gujarat Legislative Assembly is not in Session, this Ordinance is promulgated to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly and of Ministers and Leader of the Opposition to achieve the aforesaid object.

Dated the 19th December, 2016.

O. P. KOHLI,
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

C. J. Gothi,
Secretary to Government.